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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/696,443

10/28/2003

Steven L. Grobman

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31817

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10/16/2008

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EXAMINER

WINTER, JOHN M

ART UNIT

PAPER NUMBER

3685

MAIL DATE

DELIVERY MODE

10/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/696,443

**Applicant(s)**

GROBMAN, STEVEN L.

**Examiner**

JOHN M. WINTER

**Art Unit**

3685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-8, 10-17, 35-41 and 43-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-8, 10-17, 35-41 and 43-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/888)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Acknowledgements***

1. The Applicants amendment filed on June 30,2008 is hereby acknowledged, Claims 2-8, 10-17, 35-41 and 43-50 remain pending .

### ***Response to Arguments***

2. The Applicant states that there is simply no disclosure that Buhle creates anything that could be described as a service ticket that includes encrypted versions of such credentials from each data server.

The Examiner responds that Bulhe discloses establishing a session that is authenticated with cryptographic means; after the session is established the server grants a set of "roles or privileges" that may be accessed. The Examiner contends that these "roles or privileges" are analogous to the claimed feature of "a service ticket"

In response to Applicant's argument that there is no suggestion to combine the references, the Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make the proposed combination of primary and secondary references. In re Nomiya, 184 USPQ 607 (CCPA 1975). However, there is no requirement that a motivation to make the modification be expressly articulated. The test for combining references is what the combination of disclosures taken as a whole would suggest to one of ordinary skill in the art. In re McLaughlin, 170 USPQ 209 (CCPA 1971). references are evaluated by what they suggest to one versed in the art, rather than by their specific disclosures. In re Bozek, 163

USPQ 545 (CCPA) 1969.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-8, 10-17, 35-41 and 43-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Medvinsky et al. (US Patent 2003/0093694) in view of Sirbu et al (US Patent 5,809,144) and further in view of Buhle et al. (US Patent 6,286,104).

3. As per claim 2,

Medvinsky et al. ('694) discloses the method of claim 7, further including:

generating a Ticket-Granting-Ticketing utilizing a protocol substantially in compliance with the Kerberos protocol; and wherein receiving a request for a Service Ticket from a client further includes receiving the Ticket-Granting-Ticket from the client. (Figure 4)

Medvinsky et al. ('694) does not explicitly disclose a granting service, Buhle et al. ('104), discloses a granting service (Figure 4); it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Medvinsky et al. ('694) with the Buhle et al.. ('104) method in order to allow centralized control of access

to servers; furthermore the combination of these elements does not alter their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

4. As per claim 3,

Medvinsky et al. ('694) discloses the method of claim 7,

- (a) wherein determining the number of servers designated to provide the requested service includes: utilizing a database that maps a generic server name to a specific server name; and setting the numbers of servers designated to provide the service equal to the number of specific server names mapped to the generic server name that provides the requested service. (Figure 2)

Medvinsky et al. ('694) does not explicitly disclose a granting service, Buhle et al. ('104), discloses a granting service (Figure 4); it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Medvinsky et al. ('694) with the Buhle et al. ('104) method in order to allow centralized control of access to servers; furthermore the combination of these elements does not alter their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

As per claim 4,

5. Medvinsky et al. ('694) discloses the method of claim 3,

Medvinsky et al. ('694) does not explicitly disclose wherein determining the number of servers designated to provide the requested service includes: utilizing a database that maps a generic server name to a specific server name; and setting the numbers of servers designated to provide the service equal to the number of specific server names mapped to the generic server name that provides the requested service. Buhle et al. ('104), discloses wherein determining the number of servers designated to provide the requested service includes: utilizing a database that maps a generic server name to a specific server name; and setting the numbers of servers designated to provide the service equal to the number of specific server names mapped to the generic server name that provides the requested service. (Figure 4); it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Medvinsky et al. ('694) with the Buhle et al. ('104) method in order to allow centralized control of access to servers; furthermore the combination of these elements does not alter their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.

6. As per claim 7,

Medvinsky et al. ('694) discloses a method of generating a Service Ticket for a requested Service comprising:  
receiving by a granting service of a computing device , the computing device being different and distinct from the client, a request for a Service Ticket from a client;

- (a) generating by the a session key; encrypting a cipher text with the session key determining a number of servers designated to provide the requested service; Medvinsky et al. ('694) does not explicitly disclose for each providing server, encrypting the session key with a secret key associated with each respective server; creating a Service Ticket that includes an encrypted session key for each providing server, and the encrypted cipher text; the granting service determining if the requested service is provided by a plurality of servers. Buhle et al.('104), discloses for each providing server, encrypting the session key with a secret key associated with each respective server; creating a Service Ticket that includes an encrypted session key for each providing server, and the encrypted cipher text;(Figure 3; column 8, lines 14-19) the granting service determining if the requested service is provided by a plurality of servers (Column 5, lines 1-15 ); it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Medvinsky et al. ('694) with the Buhle et al.('104) method in order to allow the client to utilize secure applications via ticket; furthermore the combination of these elements does not alter their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention..
- Medvinsky et al. ('694) does not explicitly disclose transmitting the Service Ticket to the client, Sirbu et al.('1443), discloses transmitting the Service Ticket to the client (Figure 4 ); it would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the Medvinsky et al. ('694) with the Sirbu et al. ('144) method in order to allow the client to utilize the ticket; furthermore the combination of these

elements does not alter their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention.. Applicant(s) are reminded that optional or conditional elements do not narrow the claims because they can always be omitted. See e.g. MPEP §2106 II C: "Language that suggest or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. [Emphasis in original.] " As a matter of linguistic precision, optional elements do not narrow the claim because they can always be omitted.

Claims 5-8, 10-17, 35-41 and 43-50 disclose the same invention as the above stated claims; because claims 5-8, 10-17, 35-41 and 43-50 are not patentably distinct from claims 2-4 and 7 they are rejected for at least the same reasons.

### *Conclusion*

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the



advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN M. WINTER whose telephone number is (571)272-6713. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Calvin Hewitt can be reached on (571) 272-6709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMW

/Calvin L Hewitt II/  
Supervisory Patent Examiner, Art Unit 3685